

KAYLE K. HOWE,	:	Order Docketing and Dismissing Appeal
Appellant	:	
	:	
v.	:	
	:	Docket No. IBIA 95-34-A
CROW AGENCY SUPERINTENDENT,	:	
BUREAU OF INDIAN AFFAIRS,	:	
Appellee	:	November 14, 1994

On October 11, 1994, Kayle K. Howe (appellant) filed a notice of appeal with the Board of Indian Appeals (Board). Appellant sought review of an October 3, 1994, decision of the Crow Agency Superintendent, Bureau of Indian Affairs (Superintendent; BIA), which stated: "On July 29, 1994, the Billings Area Director made a trust decision pertaining to the Crow Tribe and recognized Ms. Clara Nomee as the duly elected tribal chairperson of the Crow Tribe. It is our position that we will continue to recognize Ms. Nomee as the Tribal Chairperson."

In an October 13, 1994, order, the Board noted that there were questions concerning its jurisdiction over this appeal. On November 7, 1994, appellant filed a motion "withdraw[ing] his motion to Accept and Docket Appeal, and elect[ing] to proceed in this matter on the Notice of Appeal and Statement of Reasons for Appeal dated October 5, 1994 to the Area Director."

Pursuant to the authority delegated to the Board of Indian Appeals by the Secretary of the Interior, 43 C.F.R. 4.1, this appeal from the Crow Agency Superintendent's October 3, 1994, decision is docketed and dismissed without prejudice to appellant's right to appeal from the decision in the appeal filed with the Billings Area Director.

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Kathryn A. Lynn  
Chief Administrative Judge

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Anita Vogt  
Administrative Judge